

WAC 132S-100-425 Appeal process for complainants of sexual misconduct. (1) The following actions by the SCO, SCB, or SAB may be appealed by the complainant:

(a) Dismissal of a sexual misconduct complaint; or

(b) Disciplinary sanction(s) and condition(s) imposed against a respondent for a sexual misconduct violation, including a disciplinary warning and/or documentation only.

(2) A complainant may appeal a disciplinary decision by filing a notice of appeal in writing to the SCO within fifteen days of receiving notification of the disciplinary decision. The notice of appeal may include a written statement setting forth the grounds of appeal. Failure to file a timely notice of appeal constitutes a waiver of this right and the disciplinary decision shall be deemed final.

(3) If the respondent timely appeals a decision imposing discipline for a sexual misconduct violation, the college shall notify the complainant of the appeal and provide the complainant an opportunity to intervene as a party to the appeal.

(4) Except as otherwise specified in this procedure, a complainant who timely appeals a disciplinary decision or who intervenes as a party to respondent's appeal of a disciplinary decision shall be afforded the same procedural rights as are afforded the respondent.

(5) If the complainant appeals the SAB's decision, the appeal will be reviewed by the president or their designee subject to the same procedures and deadlines applicable to other parties.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-100-425, filed 5/25/16, effective 6/25/16.]